

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JILL SIKKELEE, individually and as
Personal Representative of the Estate of
David Sikkelee, deceased,

Civil Action No.: 07-CV-0886JEJ

Hon. John E. Jones III

v.

PRECISION AIRMOTIVE CORPORATION,
et al.

PLAINTIFF'S PETITION TO APPROVE PARTIAL SETTLEMENT
BETWEEN PLAINTIFF AND THE KELLY DEFENDANTS ONLY

COMES NOW the Plaintiff Jill Sikkelee, individually and as personal representative of the estate of David Sikkelee, deceased, with the approval and consent of the Kelly defendants, by and through undersigned counsel, and for her Petition to Approve Partial Settlement Between Plaintiff and the Kelly Defendants Only, states as follows:

This aviation wrongful death and survival action arises from a July 2005 crash of a Cessna 172N aircraft following a loss of engine power shortly after

takeoff. Doc. #1. Plaintiff's decedent, David Sikkelee, who was the pilot, died from burns/injuries sustained in the crash. Id.

Plaintiff and the Kelly defendants¹ ONLY have reached a settlement in this legal action.²

The terms of the settlement are as follows: the Kelly defendants (or their insurer) shall pay Plaintiff two million dollars (\$2,000,000.00), and Plaintiff shall enter a release of all claims against the Kelly defendants ONLY. (NOTE: This settlement does *NOT* include or release any claims made against the other defendants, which are collectively referred to in the complaint as "the Precision defendants" and "the Textron defendants." See Doc. 1. All claims against those other defendants remain pending.)

Plaintiff and her counsel believe this settlement with the Kelly defendants ONLY to be fair, equitable, and in the best interests of the survivors and estate of David Sikkelee, deceased. Should this Court approve the partial settlement, Plaintiff will seek approval of attorneys fees, costs and distribution of net settlement proceeds in South Carolina probate court, where the estate is probated.

¹Collectively listed in the complaint as Kelly Aerospace, Inc.; Kelly Aerospace Power Systems, Inc., a/k/a Electrosystems, Inc. a/k/a Consolidated Fuel Systems, Inc. a/k/a Confuel Inc.; Electrosystems, Inc., a/k/a Consolidated Fuel Systems, Inc. a/k/a Confuel, Inc.; and Consolidated Fuel Systems, Inc. a/k/a Confuel, Inc.

²The Kelly defendants were the entities that overhauled and re-built the subject MA-4SPA carburetor in 2004.

The Kelly defendants and their counsel consent to and join in this motion and believe this settlement to be fair, equitable, and in the Kelly defendants' best interests.

Counsel for the Textron defendants has concurred and has no objection.

Concurrence was sought from counsel for the Precision defendants. As of the date of this filing, a position has not yet been provided.

A Proposed Order is attached as Exhibit 1.

A Certificate of Concurrence is attached as Exhibit 2.

WHEREFORE, the Plaintiff, with the approval of the Kelly defendants, seeks this Honorable Court's approval of the partial settlement with the Kelly defendants ONLY.

Respectfully submitted this 12th day of July, 2010.

s/ John D. McClune
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